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IN THE HONOURABLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

Single Bench

WRIT PETITION NO. 1317 OF 2006

PETITIONER : Ram Prasad Tumaniya, Son of Late Shri D. J. Tumaniya, aged about 58 years, Resident of Central Jail Campus, Ambikapur, District Surguja (C.G.). Presently posted on the post of Jailor, Central Jail Ambikapur, District Surguja (C.G.).

P.R. No. 13561/06
Presented by Shri Sanjeev Dubey
dated 16/3/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: The Secretary, Department of Home, D.K.S. Bhawan, Mantralaya, Raipur (C.G.).

2. The Director General of Police (Jail), Govt. of Chhattisgarh, Raipur (C.G.).

Received Copy of Writ Petition
16/3/2006
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND/OR A SUITABLE DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ....W.P.1317.... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4-8-2006

Mr. Sandeep Dubey, counsel for the petitioner.

Mr. Sumesh Bajaj, Govt. Advocate for the State/respondents.

Heard both the counsel.

Return has already been filed.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his transfer order dated 23-2-2006 passed by respondent No.1 whereby the petitioner has been transferred from Central Jail, Ambikapur to District Jail, Jashpur as In-charge Jail Superintendent.

Learned counsel for the petitioner submitted that he is not pressing the grounds raised in the petition. The only request is that the petitioner has already served more than 10 years in the Naxalite area and he is going to retire by the end of 2007, therefore, he ought to have been transferred within the home district Mahasamund. The petitioner has already made a representation to respondent No.2, copy of the same is Annexure P-4, but to no avail. Therefore, learned counsel further submitted that looking to the above difficulties and position of the petitioner, the petitioner may be allowed to make a representation afresh to respondent No.1 and respondent No.1 be directed to decide the same, to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merit of the case, the request made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances annexing a

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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Soma	copy of the writ petition to respondent No.1 within ten days from today and respondent No.1 is directed to decide the representation within one month from the date of its receipt after considering the points raised by the petitioner, in an objective manner, on its own merits, in accordance with law. Interim order dated 21-3-2006 stands vacated. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.Nos.1010/2006, 1854/2006 and I.A. No.4859/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

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